

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE TOY ASBESTOS LITIGATION

Case No. [19-cv-00325-HSG](#)


**ORDER GRANTING MOTION FOR  
LEAVE TO FILE SECOND AMENDED  
COMPLAINT**

Re: Dkt. No. 238

Currently before the Court is Plaintiff's unopposed motion for leave to file a second amended complaint. *See* Dkt. No. 238. Plaintiff seeks to amend the complaint to update the parties and claims in light of the death of the original plaintiff, Thomas H. Toy, Sr., in April. *Id.* at 2; *see also* Fed. R. Civ. P. 25(a). A "court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). Considering the need for the amendments given Mr. Toy's death and the lack of opposition from any Defendant, the Court finds that leave to amend is warranted and **GRANTS** Plaintiff's motion.

**IT IS SO ORDERED.**

Dated: 7/18/2019

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge